

REMARKS

The Applicant respectfully requests entrance of these amendments in order to place the application in condition for allowance or otherwise in better form for appeal by narrowing the issues. No new matter has been added.

Claims 1-11 remain in the application. Only Claim 1 is in independent form.

Claim Rejections Under 35 U.S.C. §103

Claims 1-6 and 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maughan et al. (U.S. Patent 5,772,337) in view of Booth (U.S. Patent 2,507,087) and further in view of Graham et al. (U.S. Patent 2,635,906).

Claims 7-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maughan et al. (U.S. Patent 5,772,337), Booth (U.S. Patent 2,507,087) and Graham et al. (U.S. Patent 2,635,906) as applied to Claims 1-6 and 9-11 above, and further in view of Urbach et al. U.S. Patent 5,997,208).

Throughout the prosecution of this patent application, the Applicant has attempted to demonstrate a claimed distinction from any and all prior art cited in the record. Of particular note is the structural distinctiveness of Applicant's annular metal upper bearing 150, which is perhaps best depicted in Figure 1B of the subject application. As described in Paragraph [0023] of the Specification and also described in the Brief Summary of Invention section, as well as in the Abstract, the annular metal upper bearing (150) is provided with a split segment (160). In the claimed combination, metal bearing components provide a sliding interface with the articulating

head end portion (130) in a moveable joint. In this environment, the Applicant's all metal bearing construction is enabled by the split segment (160), which is formed in the annular metal upper bearing (150), as illustrated in Figure 1B. This split segment (160) enables a constant wear surface against the moveable stud member to be maintained.

In an attempt to further clarify this novel aspect of the claimed invention, with the intent of placing the application in condition for allowance or otherwise in better form for appeal, the Applicant has more fully described the split segment (160) as disrupting a full circular continuity of the annular metal upper bearing (150). This discontinuity is clearly shown in Figure 1B. The split segment (160) establishes a generally C-shaped body of the annular metal upper bearing (150). The split segment formed in the manner thus described provides circumferential flexibility in the annular metal upper bearing (150). As described in Paragraph [0009], lines 11-12, the split configuration enables the upper metal bearing (150) to slide within the housing (102) to provide a constant wear surface against the moveable stud member (132).

None of the cited references – not Maughan '337, not Booth '087, and not Graham '906 – describe, suggest, or in any way allude to this kind of split feature in a metal bearing for a moveable stud member, which split segment disrupts a full circular continuity in an otherwise annular metal bearing to establish a generally C-shaped body and provide circumferential flexibility. This claimed distinction was earlier presented in Applicant's Claim 1, but is now further clarified to better highlight the novel characteristic of this invention. Accordingly, it is respectfully submitted that Claim 1, as amended, overcomes the cited rejection based in 35 U.S.C. §103(a).

Should the Examiner disagree with the Applicant's position that the rejection under 35 U.S.C. §103(a) is now overcome, it is respectfully requested that this amendment be entered notwithstanding so that the issue of obviousness can be more directly considered under appellate review.

Concluding Remarks

Reconsideration of this application is respectfully requested on the basis of these amendments.

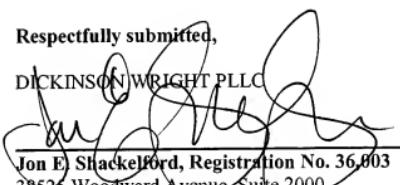
It is believed that this application is now in condition for allowance, or at least in better form for appeal. Further and favorable action is requested.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

7-2-2007
Date

Respectfully submitted,

DICKINSON WRIGHT PLLC


Jon E. Shackelford, Registration No. 36,003
38525 Woodward Avenue, Suite 2000
Bloomfield Hills, MI 48304-2970
734-623-1734

ANNARBOR 710240-576 89320v1

Certificate of Mailing Under 37 C.F.R. 1.10

I hereby certify that this correspondence is being deposited via electronic submission on the USPTO website.

Commissioner for Patents
PO BOX 1450

Alexandria, Virginia 22313-1450

on 07-02-07


Kelly R. Makin